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WORLD CONFERENCE AGAINST RACISM,
RACIAL DISCRIMINATION, XENOPHOBIA
AND RELATED INTOLERANCE

Preparatory Committee
Informal meeting of the inter-sessional
open-ended working group
Geneva, 7-11 May 2001

PROPOSALS MADE AT THE FIRST INTER-SESSIONAL WORKING GROUP FOR A DRAFT PREAMBLE AND DECLARATION

Note by the secretariat

The secretariat has the honour to transmit to the informal inter-sessional open-ended working group proposals made at the first inter-sessional working group for a draft preamble and declaration for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. This document reflects the various proposals made by delegations at the working group. It was understood as an exercise in adding proposals to the secretariat's draft and was not a negotiation session. The presence of brackets around some parts of the text may indicate issues of particular concern but the absence of brackets does not indicate consensus or approval.

GE. *0100762*

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DRAFT DECLARATION

The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

PP1 **Having met in Durban, South Africa, from 31 August to 7 September 2001,**

PP2 **Expressing deep appreciation to the Government of South Africa for hosting this World Conference,**

PP3 **Drawing inspiration from the heroic struggle of the *international community, and in particular that of the people and Governments of Africa, as well as the* people of South Africa for equality and justice under democracy, the rule of law and respect for human rights, *and noting the ~~essential~~ role that non-governmental organizations played in that struggle and in ongoing efforts to combat racism, racial discrimination, xenophobia and related intolerance,***

PP4 **Recalling that the Charter of the United Nations is based on the principles of the dignity and equality inherent in all human beings [*and due respect for the sovereignty of States]* and *one of its purposes is to achieve* ~~seeks among its basic objectives to achieve~~ international cooperation in solving international problems [of an economic, social, cultural or humanitarian character] and in promoting and encouraging respect for human rights and fundamental freedoms for all *[without distinction as to race, [sex], language, nationality, [or religion]*, [*such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,]***

***PP4bis** **Considering** that racism, racial discrimination, xenophobia and related intolerance are ~~serious~~ violations of fundamental human rights which must be combated by all lawful means as a matter of the highest priority and that for the full enjoyment of these rights, which are indivisible and interdependent, national and international actions are required to improve the living conditions of men and women of all nations, at the political, economic, social and cultural level,*

PP4bis1 Reaffirming the right of all peoples to live in a society free of racism, racial discrimination, xenophobia and related intolerance, as well as the duty of States to take prompt, decisive and appropriate measures to eliminate all forms of racial discrimination whenever, wherever and however they occur,

PP4bis2 [*Considering that racism, racial discrimination, xenophobia and related intolerance are against the dignity of mankind, constitute a [flagrant] violation of human rights, an offence to humanity, an obstacle to friendly and peaceful relations among peoples and nations and are among the root causes of many internal and international conflicts including armed conflicts,[serious] violations of ~~fundamental~~ human rights and that for the full enjoyment of these rights, which are indivisible and interdependent, national and international actions are required to improve the living conditions of men, ~~and~~ women and children of all nations, at the civil, political, economic, social and cultural level,]*

PP5 [Reaffirming the principle of equality and non-discrimination in the Charter of the United Nations, the Universal Declaration of Human Rights, [the Vienna Declaration and Programme of Action,] *the International Convention on the Elimination of All Forms of Racial Discrimination* and in numerous international treaties and declarations as a foundation *for* ~~principle of~~ national, regional and international public policy,]

PP5bis [Recalling that the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993 calls for the speedy and comprehensive elimination of all forms of racism, racial discrimination, xenophobia and related intolerance,]

PP5bis1 Reaffirming that the genuine acceptance of cultural diversity, as a permanent feature of our societies, is a cherished asset for the advancement and welfare of humanity at large,

PP5bis2 Recalling that the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993 calls for the speedy and comprehensive elimination of all forms of racism, racial discrimination, xenophobia and related intolerance,

PP5bis3 Acknowledging that the prohibition of racial discrimination, genocide, apartheid, torture and slavery are [peremptory] norms of international law from which no derogation is permitted,

PP6 Recalling Commission on Human Rights resolution 1997/74, General Assembly resolution 52/111 and subsequent resolutions of those bodies concerning the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and recalling also the two World Conferences to Combat Racism and Racial Discrimination, held in Geneva in 1978 and 1983,

PP7 *Noting with grave concern that despite the efforts of the international community, the principal objectives of ~~the~~* **Recalling ~~the commitment and policy recommendations of~~** *the two previous decades* **~~three decades~~** *Decades for Action to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (1973-1983) and (1983-1993)) and the Third Decade to Combat Racism and Racial Discrimination (1993-2003) have not been attained and that countless ~~millions of~~ human beings continue to the present day to be the victims of varied forms of racism, racial discrimination, xenophobia and related intolerance,*

PP7bis [Recalling the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples of 1960,]

PP7bis1 [Reaffirming that colonization by settlers and foreign occupation constitute sources, causes and forms of racism, racial discrimination, xenophobia and related intolerance,]

PP7bis2 [Expressing concern that racism, racial discrimination, xenophobia and related intolerance are among the root causes of many internal and international conflicts, including armed conflicts,]

PP8 ~~**Emphasizing**~~ *Convinced of* **the fundamental importance of universal** *ratification or accession,/*adherence to and ~~faithful~~ **implementation of the International**

Convention on the Elimination of All Forms of Racial Discrimination as the principal international instrument to eliminate racism, racial discrimination, xenophobia and related intolerance,

PP8bis *Reaffirming our commitment to addressing manifestations of racism, racial discrimination, xenophobia and related intolerance on grounds of race, lineage, colour, religion, culture, language or national or ethnic origin, [aggravated for reasons of age, gender, [sexual orientation], physical and mental ability ~~disability,~~ or socio-economic status,]*

PP8bis1 *Emphasizing the fundamental importance of assuring the full implementation of the Convention on the Rights of the Child [and its two optional protocols] to lay the foundation for a new generation where racial discrimination may be effectively prevented and combated, and noting with concern that many children and young people are victims of racism, racial discrimination, xenophobia and related intolerance,*

PP9 *Recognizing that States must protect and promote the human rights and fundamental freedoms of indigenous peoples, people of African descent, people of Asian descent, migrants - documented and undocumented -, refugees and asylum seekers, internally displaced persons, women and persons belonging to other vulnerable groups, that they are important actors and that the enjoyment of their civil, political, economic, social and cultural rights is essential for the development of societies throughout the world,*

PP9bis Underscoring *the compounding adverse impact of* ~~the importance~~ of ~~the gender dimension of~~ *racism, racial discrimination, xenophobia and related intolerance as they concern women,* ~~and the fundamental importance of universal adherence to and faithful implementation of the Convention on the Elimination of All Forms of Discrimination against Women,~~

/Underscoring the importance to take account of the gender dimension of racial discrimination [and the fundamental importance of universal adherence to and full compliance with their obligations under the Convention on the Elimination of All Forms of Discrimination against Women, and the promotion and protection of the human rights of women and girls,]

PP9bis1 Concerned at the growing racial discrimination, xenophobia against migrants – documented and undocumented - and hopeful that the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families will soon enter into force as it provides most needed protection for millions of persons from various forms of discriminatory treatment in all parts of the world ~~highlighting the importance of universal adherence to the Convention on the Protection of the Rights of All Migrant Workers and their Family Members – documented and undocumented - and faithful implementation thereof;~~

PP10 Having considered /*Inspired by* the reports of the regional conferences organized at Strasbourg, Santiago, Dakar and Tehran *and other inputs from States*, as well as the reports of expert seminars, *NGO regional meetings* and other meetings organized in preparation for the World Conference,

PP11 [Having listened to the aspirations of peoples and groups from different parts of the world for genuine equality of opportunity for development and for justice,]/

[Having listened to] *Recognizing the aspirations of* ~~aspirations of~~ peoples *aspiring to justice and to the enjoyment of their right to development* and *racial, ethnic, linguistic, religious and national /*groups] from different parts of the world [*and living in peace and freedom]* for genuine equality [of opportunity] *for all /*[for development] and [for] [*access to]* justice, *and for equal participation in the cultural, economic, political and social life of their societies,]*

PP11bis Emphasizing the importance of the equitable participation of all peoples and nations, without any discrimination, in their domestic as well as global decision-making,

PP11bis2 Recognizing that the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, in conjunction with the International Decade of the World's Indigenous Peoples, presents a unique opportunity to consider the invaluable contributions of indigenous peoples to cultural, economic, social, political and spiritual

development throughout the world to our societies as well as the challenges, including racism, they face,

PP12 [Applauding] the Vision Statement launched by President Thabo Mbeki of South Africa under the patronage of The Honourable Nelson Mandela, first President of the new South Africa, and at the initiative of the United Nations High Commissioner for Human Rights and Secretary-General of the World Conference, and signed by 74 Heads of State, Heads of Government and Dignitaries,

PP12bis [Welcoming] the decision of the General Assembly to proclaim the year 2001 as the United Nations Year of Dialogue among Civilizations as well as the holding of the Asian Conference on Dialogue among Civilizations on 17 February 2001 in Tehran,

PP12bis1 Recalling the year 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance, aimed at drawing the world's attention to the objectives of the World Conference and giving new momentum to the political commitment to the elimination of all forms of racism, racial discrimination, xenophobia and related intolerance,

PP12bis2 Welcoming the adoption by the General Assembly of the Declaration and Plan of Action on a Culture of Peace and its decision to proclaim the Decade for a Culture of Peace and Nonviolence for the Children of the World – (2001 to 2010),

PP13 [Fully aware that, despite efforts undertaken by the international community and national Governments, racism, racial discrimination, xeophobia and related intolerance continue to be responsible for violations of basic human rights resulting in suffering, disadvantage and violence, which must be combated by all available and appropriate means and as a matter of the highest priority,]/

PP13bis [Fully aware that, despite efforts undertaken by the international community, national Governments *and local authorities*, racism, racial discrimination, *religious intolerance, anti-Arabism, anti-Semitism, Islamophobia, Negrophobia,* xenophobia

and related intolerance continue to *result in* ~~be responsible for~~ violations of basic human rights/*continue to persist* ~~resulting~~ in suffering, disadvantage and violence, which must be combated by all available and appropriate means and as a matter of the highest priority, *preferably in cooperation with affected communities,*]/

PP13bis1 Noting with concern the continued and violent occurrence of racism, racial discrimination, xenophobia and related intolerance, and that theories of superiority of certain races and cultures over others, promoted and practiced during the colonial era, continue to be propounded in one form or another even today,

PP13bis2 Bearing in mind that the adequate and clear resolution of the past problems caused b racially and ethnically discriminatory policies and practices could contribute to the prevention of the recurrence of such policies and practices and to the friendship and peaceful relations among peoples and nations,

PP13bis3 Alarmed by the emergence of racism, racial discrimination, xenophobia and related intolerance in their more subtle and contemporary forms and other ideologies and practices based on racial or ethnic discrimination or superiority,

PP13bis4 Recalling the importance of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance,

PP13bis5 Recognizing both the challenges and opportunities presented by an increasingly globalized world in relation to the struggle to eradicate racism, racial discrimination, xenophobia and related intolerance,

PP14 Dedicating ourselves [without reservation] ~~to redoubling our efforts~~ to combat~~ing~~ the scourge of racism, racial discrimination, xenophobia and related intolerance fully and effectively, *while drawing lessons from past experiences with a view to avoiding their recurrence in the future,* giving this struggle the priority attention it deserves, *and drawing*

lessons from manifestations of racism and past experiences in all parts of the world with a view to avoid their recurrence,

PP15 **[Determined,** *in an era when globalization and technology have contributed considerably to bringing people together to materialize the notion of a "human family" based on equality, dignity and solidarity, and to make* ~~**that**~~ **the twenty-first century** ~~**shall be**~~ *a* **century of human rights** *and the eradication of racism, racial discrimination, xenophobia and related intolerance* **and the realization of genuine equality of opportunities and treatment for all individuals and peoples,]**

PP15bis *Convinced that racism, racial discrimination, xenophobia and related intolerance constitute a total negation of the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,*

PP15bis1 *Recognizing that failure to combat racial discrimination and xenophobia, especially by public authorities and politicians, is a factor encouraging their perpetuation in society,*

PP16 **Join together, in a spirit of renewed political will and commitment,** *to salute the memory of all victims of racism, racial discrimination, xenophobia and related intolerance all over the world to universal equality, justice and dignity,* **and adopt the following Durban Declaration** ~~**and Commitment to Universal Equality and Justice**~~**:**

OP1. **All human beings are born** *free,* **equal in dignity and rights.** *[All human beings are born with the potential to contribute constructively to the development and well-being of their societies. Theories which attempt to determine the existence of separate human races should be rejected.]* **Any doctrine of racial superiority is,** ~~**therefore,**~~ **scientifically false, morally condemnable, socially unjust and dangerous, and has no justification whatsoever; WCR 1 & 2, Regional Conference, Tehran Cf. Regional Conference Strasbourg**

OP1bis We recognize that democracy, transparent and accountable/good governance and rule of law are fundamental conditions/play a central role in combating racism, racial

discrimination, xenophobia and related intolerance. We further recognize the incompatibility between racism and democracy and are conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such crimes, and requires resolute action and cooperation for its eradication.

OP1bis1 Reaffirm that ignoring the existence of discrimination and racism, at both the State and the society level, contributes directly and indirectly to perpetuating the practices of racism, racial discrimination, xenophobia and related intolerance,

OP1bis2 Observe that poverty is often closely associated with racism, racial discrimination, xenophobia and related intolerance, and that these practices aggravate the conditions of poverty, marginality and social exclusion of individuals, groups and communities,

OP1bis3 Express our conviction that political platforms based on racism, xenophobia or doctrines of racial superiority and discrimination must be condemned as incompatible with democracy and transparent and accountable governance, and that racial discrimination condoned by governmental policies violates human rights and may endanger friendly relations among peoples, cooperation among nations, and international peace and security,

OP1bis4 Condemn legislation, political platforms, practices and organizations based on racism, racial discrimination, xenophobia and related intolerance. They must be condemned and are incompatible with democracy and with transparent and responsible management of public affairs. Racial discrimination justified by governmental policies violates human rights and may jeopardize friendly relations among peoples, cooperation among nations, as well as international peace and security,

OP1bis5 Express our solidarity with the peoples of Africa in their continuing struggle against racism, racial discrimination, xenophobia and related intolerance and recognize the sacrifices made by them as well as their efforts in raising international public awareness of this inhuman tragedy.

OP1bis6 Strongly condemn the resurgence of [fascism] in all its forms and manifestations/ [Strongly condemn the persistence and resurgence of fascism, aggressive nationalism, ethnocentricism, religious and linguistic chauvinism in all their forms and manifestations,]

OP1bis7 Recalling also the great importance we/African peoples attach to the values of solidarity, tolerance and multiculturalism, which constitute the moral ground and the inspiration for our struggle against racism, racial discrimination, xenophobia and related intolerance, inhuman tragedies which Africa has been suffering for too long,

OP1bis8 We affirm that the enslavement of and the trade in Africans and African descendants was a unique and appalling tragedy in the history of humanity, and a crime against humanity not only because of its abhorrent barbarism but also in terms of its enormous magnitude, its institutionalized nature, its transnational dimension, and especially its negation of the very essence of human nature.

OP1bis9 Recognize that colonialism and slavery have been the prime sources and manifestation of racism, racial discrimination, xenophobia and related intolerance and stress the need for all States which were engaged in such practices to acknowledge the grave human suffering caused by colonialism and slavery and the heinous racist acts committed in the context of colonialism and slave trade,

OP1bis10 We recall that without the necessary political will to recognise and assume responsibility for historical injustices and their contemporary forms and repercussions [modern slavery and slavery-like practices,] programmes of action against racism, racial discrimination, xenophobia and related intolerance, as well as the anti-racist slogans and measures taken at the World Conference and at the regional and national levels, will not change deeply ingrained prejudices or reach the noble goal of a genuine human family based on equal dignity and opportunities.

OP1bis11 We acknowledge that the enslavement and other forms of servitude of Africans, African descendants and indigenous peoples, as well as the slave trade, have resulted in substantial and lasting economic, political and cultural damage to these peoples and that

justice now requires that substantial national and international efforts be made to repair such damage. Such reparation should be in the form of policies, programmes and measures to be adopted by the States which benefited materially from these practices and that are designed to rectify the economic, cultural and political damage which has been inflicted on the affected communities and peoples.

OP1bis12 We recognize and admit that conquest, colonialism, slavery and other forms of servitude were a source of racism, racial discrimination, xenophobia and related intolerance in the world and condemn the injustices that were committed, especially against indigenous peoples and Africans and their descendants. The political, socio-economic and cultural structures imposed in the context of those processes permitted and encouraged racism, racial discrimination, xenophobia and related intolerance. Their effects persist in many of our societies and are a source of systemic discrimination that still affects large sectors of the population,

OP1bis13 Repudiate the brutal crimes and injustices that were committed against indigenous peoples and Africans and their descendants who were subjected to slavery, the tranatlantic slave trade and other forms of servitude that today could constitute crimes against humanity,

OP1bis14 We recognize that slavery and the slave trade, colonialism, apartheid, racism and racial discrimination that people in various parts of the world, notably the Africans and people of African descent, have historically suffered ~~throughout Africa and the African Diaspora~~ is at the root of the situation of marginalization, poverty and exclusion that affects many people in several countries. ~~of Africa and the African Diaspora.~~

OP1bis15 Recall the historical fact that among the most hideous manifestations of racial discrimination the African continent and Diaspora have suffered, namely the slave trade, all forms of exploitation, colonialism and apartheid, were essentially motivated by economic objectives and competition between colonial powers for strategic territorial gains, appropriation, and control over and pillage of natural and cultural resources,

OP1bis16 ***All States must draw lessons from manifestations of racism in all regions of the world, suffering caused by slavery or which arose from colonialism must be remembered and that this should not happen again. The States must take effective measures to remove the effects of such manifestations.***

OP1bis17 ***All States must reject/(prevent and punish) ethnic and religious cleansing and genocide, in all regions of the world, and work together to prevent their recurrence. [The Holocaust and the ethnic cleansing of the Arab population in historic Palestine, and in Bosnia-Herzegovina and Kosovo, must never be forgotten.]***

OP2. [We all constitute one human family striving for the full exercise of our human spirit/*potential*, the reawakening of all its inventive, creative and moral capacities, enhanced by the equal participation of men and women. Recognizing ~~this~~ *that preserving and promoting tolerance, pluralism and respect for diversity can produce more inclusive societies, as well as* make the twenty-first century an era of genuine fulfilment and peace;] Vision statement/

[We all constitute one human family. This truth has now become self-evident because of the first mapping of the human genome, an extraordinary achievement which not only reaffirms our common humanity but promises transformations in scientific thought and practice, as well as in the visions which our species can entertain for itself. It encourages us toward the full exercise of our human spirit, the reawakening of all its inventive, creative and moral capacities, enhanced by the equal participation of men and women. And it could make the twenty-first century an era of genuine fulfilment and peace.]

OP2bis ***We affirm that dialogue between cultures and civilizations emerges as an intrinsic demand of human nature itself, as well as of culture. This dialogue leads to a recognition of diversity and opens the mind to the mutual acceptance and genuine collaboration required by the human family's call to unity. Dialogue between cultures and civilizations is the path to the building of a reconciled world, a world able to look toward its future.***

OP3. All peoples and all human groups have contributed to the progress of civilization and cultures which constitute the common heritage of humanity; WCR 1 & 2

OP4. For too long diversity has been treated as threat rather than gift, and too often that threat has been expressed in racial contempt and conflict, in exclusion, discrimination and intolerance. We must refocus our understanding, discern in diversity of race and culture the potential for mutual enrichment, and realize that it is the interchange between great traditions of human spirituality that offers the best prospect for the human spirit itself; Vision statement

OP5. We are conscious that humanity's history is replete with terrible wrongs inflicted through lack of respect for the equality of human beings manifested through wars, genocide, slavery, holocaust, apartheid, ethnic cleansing and other atrocities, and we understand the quest of the victims and their heirs for justice, dignity, respect and correction of the continuing consequences of historical wrongs. We call for open national and international dialogue to address these concerns;

OP6. We salute *and acknowledge* the memory of all victims of racism and racial discrimination, *slavery,* colonialism, *Holocaust, ethnic cleansing of the Arab population in historic Palestine* and apartheid *and foreign occupation* all over the world; Regional Conference, Dakar

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